

**Notice of Allowability**

Application No.

09/998,599

Examiner

Chirag G. Shah

Applicant(s)

UEBAYASHI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/22/06.
2. ☒ The allowed claim(s) is/are 2-10, 13, 16-19, 21, 28-37; renumbered 1-25 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
CHIRAG G. SHAH  
PRIMARY PATENT EXAMINER

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **Reasons For Allowance**

1. The following is an examiner's statement of reasons for allowance:

Regarding claim 2, Prior Art fails to disclose of a communication method comprising the first acquisition step acquires information of a synchronization channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception step receives the synchronization channel on the basis of the acquired information of the synchronization channel in combination with other limitations set forth in the respective claim.

Regarding claim 7, Prior Art fails to disclose of a communication method comprising the first acquisition step acquires information of a common control channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception step receives the common control channel on the basis of the acquired information of the common control channel in combination with other limitations set forth in the respective claim.

Regarding claim 13, Prior Art fails to disclose of a communication method comprising the first acquisition step acquires information of a communication channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception step receives the communication channel on the basis of the acquired information of the communication channel in combination with other limitations set forth in the respective claim.

Regarding claim 16, Prior Art fails to disclose of a communication method comprising an FDD transmission step for transmitting a signal based on an FDD method, with information of a signal based on a TDD method being included in the signal based on the FDD method and wherein the signal based on the TDD method includes a signal of a synchronization channel, a

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signal of a common control channel and a signal of a communication channel in combination with other limitations set forth in the respective claim.

Regarding claim 18, Prior Art fails to disclose of a communication method comprising an FDD transmission step for transmitting a signal based on an FDD method, with information of a signal based on a TDD method being included in the signal based on the FDD method and wherein the signal based on the TDD method includes a signal of a signal of a common control channel and a signal of a communication channel in combination with other limitations set forth in the respective claim.

Regarding claim 21, Prior Art fails to disclose of a communication method comprising an FDD transmission step for transmitting a signal based on an FDD method, with information of a signal based on a TDD method being included in the signal based on the FDD method and wherein the signal based on the TDD method includes a signal of a communication channel in combination with other limitations set forth in the respective claim.

Regarding claim 28, Prior Art fails to disclose of a mobile station comprising the first acquisition means acquires information of a synchronization channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception means receives the synchronization channel on the basis of the acquired information of the synchronization channel in combination with other limitations set forth in the respective claim.

Regarding claim 29, Prior Art fails to disclose of a mobile station comprising the first acquisition means acquires information of a common control channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception means receives

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the common control channel on the basis of the acquired information of the common control channel in combination with other limitations set forth in the respective claim.

Regarding claim 30, Prior Art fails to disclose of a mobile station comprising the first acquisition means acquires information of a communication channel based on the TDD method from the received signal based on the FDD method, and the first TDD reception means receives the communication channel on the basis of the acquired information of the communication channel in combination with other limitations set forth in the respective claim.

Regarding claim 31, Prior Art fails to disclose of a base station comprising a means for including information of a signal based on a TDD method in the signal based on a FDD method, wherein the signal based on the TDD method includes a signal of a synchronization channel, a signal of a common control channel and a signal of a communication channel from the received from the received signal based on the FDD method in combination with other limitations set forth in the respective claim.

Regarding claim 32, Prior Art fails to disclose of a base station comprising a means for including information of a signal based on a TDD method in the signal based on a FDD method, wherein the signal based on the TDD method includes a signal of a common control channel and a signal of a communication channel from the received from the received signal based on the FDD method in combination with other limitations set forth in the respective claim.

Regarding claim 33, Prior Art fails to disclose of a base station comprising the signal based on the TDD method includes signal of a communication channel from the signal based on the FDD method and the information of the signal based on the TDD method includes at least one of information relating to a position of the signal of the communication channel within a

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frame of the signal based on the TDD method and information relating to a timing offset between the signal based on the TDD method and the signal based on the FDD method in combination with other limitations set forth in the respective claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7682. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cgs

January 4, 2007



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PRIMARY PATENT EXAMINER

Chirag Shah  
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